

**UNITED STATES DISTRICT COURT**  
*Eastern District of Washington*

DANIEL IRWIN BUCHMANN,

Petitioner,

v.

ALICE PAYNE,

Respondent.

JUDGMENT IN A CIVIL CASE

CASE NUMBER: CV-06-90-EFS

- ☐ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.
- ☒ **Decision by Court.** This action came to hearing before the Court. The issues have been heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED the Second Amended Petition is DISMISSED with prejudice as untimely under 28 U.S.C. 2244, for failure to comply with Habeas Rule 2, and for failure to exhaust state court remedies.

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December 15, 2006

Date

JAMES R. LARSEN

Clerk

s/ Virginia Reisenauer

(By) Deputy Clerk

Virginia Reisenauer